

IC 20-5-13

Chapter 13. School Lunch

IC 20-5-13-1

Definitions

Sec. 1. For the purpose of and when used in this chapter:

(a) "School board" shall mean, when applicable to a public school of this state, the board of school trustees, board of school commissioners, or school board of incorporated towns and cities, also shall mean and refer to township school trustees. When applicable to a school other than a public school, it shall mean a person or agency in active charge and management of such school.

(b) "School" shall mean the public schools of this state of high school grade or under and shall also mean schools of high school grade or under other than a public school, except such school as is operated for profit in whole or in part.

(c) "School lunch program" shall mean a program under which lunches are served by any school in this state on a nonprofit basis to children in attendance, including any such program under which a school receives assistance out of funds appropriated by the Congress of the United States.

(Formerly: Acts 1947, c.305, s.1.) As amended by P.L.2-1988, SEC.539.

IC 20-5-13-2

Federal aid for school lunch program; authority to accept and disburse

Sec. 2. The state superintendent of public instruction is hereby authorized to accept and direct the disbursement of funds appropriated by any act of congress and apportioned to the state for use in connection with school lunch programs. The state superintendent of public instruction shall deposit all such funds received from the federal government with the treasurer of state in such properly designated special account or accounts as will facilitate the administration of the program, and said treasurer shall make disbursements therefrom upon the direction of the state superintendent of public instruction.

(Formerly: Acts 1947, c.305, s.2.)

IC 20-5-13-3

School lunch programs; establishment and operation

Sec. 3. The state superintendent of public instruction may enter into such agreements with any school board, or with any other agency or person, prescribe such regulations, employ such personnel, and take such other action, as he may deem necessary to provide for the establishment, maintenance, operation, and expansion of any school lunch program, and to direct the disbursement of federal and state funds, in accordance with any applicable provision of federal or state law. The state superintendent of public instruction may give technical advice and assistance to any school board in connection

with the establishment and operation of any school lunch program and may assist in training personnel engaged in the operation of such program. The state superintendent of public instruction and any school board, or any sponsoring agency (hereinafter referred to), may accept any gift for use in connection with any school lunch program. *(Formerly: Acts 1947, c.305, s.3.)*

IC 20-5-13-4

Sponsoring agencies for school lunch program; appointment

Sec. 4. School boards are hereby authorized to operate, or, by the appointment of a sponsoring agency, provide for the operation of school lunch programs in schools under their jurisdiction, contract with respect to food, services, supplies, equipment, and facilities, for the operation of such programs, and use therefor funds disbursed to them under the provisions of this chapter, gifts, and other funds received from sale of school lunches under such programs.

(Formerly: Acts 1947, c.305, s.4.) As amended by P.L.2-1988, SEC.540.

IC 20-5-13-5

Accounts and records; inspection

Sec. 5. The state superintendent of public instruction shall prescribe rules for the keeping of accounts and records and the making of reports by or under the supervision of school boards. Such accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved for such period of time, not in excess of five (5) years, as the state superintendent of public instruction may lawfully prescribe. The state superintendent of public instruction shall conduct or cause to be conducted such audits, inspections, and administrative reviews of acts, records, and operations with respect to school lunch programs as may be necessary to determine whether his agreements with school boards and rules made pursuant to this chapter are being complied with, and to ensure that school lunch programs are effectively administered.

(Formerly: Acts 1947, c.305, s.5.) As amended by P.L.2-1988, SEC.541.

IC 20-5-13-6

Studies to improve school lunch programs and promote nutritional education

Sec. 6. The state superintendent of public instruction is hereby authorized to the extent that funds are available for that purpose, and in cooperation with other appropriate agencies and organizations, to conduct studies of methods of improving and expending school lunch programs and promoting nutritional education in the schools, to conduct appraisals of the nutritive benefits of school lunch programs, and to report his findings and recommendations from time to time to the governor.

(Formerly: Acts 1947, c.305, s.6.)

Repealed

(Repealed by P.L.1-1989, SEC.75.)

IC 20-5-13-8

National School Lunch Act; administration by state superintendent of public instruction

Sec. 8. All and any of the rights, powers, duties, and liabilities in favor of or enjoined upon said administrative defense council of the state of Indiana arising out of the execution of said contract of August 27, 1946, with said United States Department of Agriculture, and the carrying out of said school lunch program pursuant thereto, shall immediately vest in the state superintendent of public instruction on March 15, 1947, and said contract shall thereafter be carried out and performed by and in the name of said state superintendent of public instruction, for and on behalf of the state of Indiana, without the necessity of executing a new contract therefor, unless a new contract shall be found to be necessary or desirable by the parties thereto.

(Formerly: Acts 1947, c.305, s.8.) As amended by P.L.2-1988, SEC.542.

IC 20-5-13-9

Authority to operate school kitchens and lunchrooms; appropriations; state aid contingent on federal aid

Sec. 9. (a) All school cities, school townships, school towns, and joint districts are hereby authorized to establish, equip, operate, and maintain school kitchens and school lunch rooms, for the improvement of the health of the school children attending school therein, and for the advancement of the educational work of their respective schools; to employ all necessary directors, assistants, and agents; and appropriate funds of such school corporations for such purpose. Such participation in a school lunch program pursuant to the provisions of this chapter shall be discretionary with the governing board of any school corporation.

(b) In the event that federal funds are not available for the purpose of carrying on a school lunch program, the state of Indiana shall not participate in such school lunch program and any money appropriated by the state of Indiana for such purpose, and not expended, shall immediately revert to the state general fund. Failure on the part of the state of Indiana to participate in the school lunch program shall not invalidate any appropriation made or school lunch program carried on by any school corporation by means of gifts or money raised by tax levy pursuant to the provisions of this chapter for the purpose of such school lunch program.

(Formerly: Acts 1947, c.305, s.10.) As amended by P.L.2-1988, SEC.543.